

## REMARKS

### Introduction

Applicant again wishes to commend the Examiner for his exceptionally thorough examination and detailed Office Action, and for his thoughtful suggestions to advance the prosecution of this application. Applicant has reviewed and carefully considered the information presented in the Examiner's Final Rejection and has responded accordingly. As is evident, Applicant has taken positive effort to move the present application to issue.

Certain corrections to the drawings and specification have been suggested by the Examiner in order to address informalities. Such suggestions are accepted and embraced; the changes made accordingly as noted above and discussed herebelow. Other minor informalities within the specification have been addressed and corrected, as well. Care has been taken to avoid inclusion of NEW MATTER and raising of new issues that might preclude entry of these amendments after Final Rejection. Further, all rejected claims have been canceled without prejudice. Thus, it is sincerely believed that Applicant's response taken as a whole clearly removes all outstanding issues.

### **Regarding informalities in the claims**

The Examiner objects to Claims 24 and 36 because of informalities. Specifically, the Examiner points out that in Claim 24, "and\_the" should be corrected to read - and the -; in Claim 36, second and last lines, "heel" is misspelled.

ACTION TAKEN: Each of these items is corrected by the present response.

### **Regarding informalities in the specification**

The Examiner pointed out the following errors:

Page 2, incorrect provisional patent application number;

Page 14, line 4, period (.) required following "invention";

Page 17, line 1, incomplete sentence;

Page 20, line 3, the word -is - - missing after "foot";

Page 22, line 9, extraneous underlining ( \_ );

Page 23, line 17, unnecessary underlining ( \_ );

Page 28, line 1, sentence incomplete;

Page 30, line 7, extraneous underlining ( \_ );

Page 36, line 6, unnecessary underlining ( \_ );

ACTION TAKEN: Each of above items corrected by the present response.

**Applicant noted additional minor informalities in specification and claims:**

Page 1, unnecessary "cover page" text;

Page 2, lines 1-2, missing section heading (TITLE...) and  
inappropriate inclusion of applicant's name;

Page 2, following line 2, missing section heading (CROSS REF...);

Page 4, line 13 through page 5, line 5, reference to applicant's own  
pending patent application requires update to reflect patent status;

Page 8, line 7, improper section heading (BRIEF SUMMARY...);

Page 11, line 12, improper section heading (BRIEF DESCRIPTION...);

Page 16, line 11, extraneous comma ( , ) following "studies";

Page 17, line 7, word misspelled (heel);

Claim 35, line 6, word misspelled (heel).

**ACTION TAKEN: Each of above items corrected by the present amendment.**

**Regarding Rejection under 35 USC 112, 1<sup>st</sup> paragraph**

The Examiner rejected Claims 26 and 29-34 as containing subject matter not described in the specification in such a way as to reasonably convey to one skilled in relevant art that the inventor, at the time the application was filed, had possession of the claimed invention. The phrase in question is "non-complimentary alignment."

**ACTION TAKEN: Applicant requests cancellation of Claims 26 and 29-34.**

### **Regarding the Drawings**

The Examiner noted that the extraneous legend, "Figure 19," as it appears at the bottom of Figure 21 should be removed.

ACTION TAKEN: Corrected drawing sheet (#6 of 7) enclosed. Error corrected.

The Examiner asserted that reference numerals "1066" and "1071" do not appear in the drawings and advised: "If they are not, they should be inserted." The Examiner is respectfully directed to Figures 14 and 20 where reference numerals 1066 and 1071, respectively, appear.

ACTION TAKEN: No action necessary. Noted reference characters are present.

### **SUMMARY**

The Examiner's thorough Office Action rejected all Claims 26 and 29-34, and allowed Claims 21-25, 27, 28 and 35-39 under 35 USC 112, 1<sup>st</sup> paragraph. Further, the Examiner thoughtfully pointed out a number of errors in the SUBSTITUTE SPECIFICATION submitted on December 23, 2002, and suggested that corrections should be made.

Applicant, without prejudice, directs and requests the cancellation of the rejected claims (namely Claims 26 and 29-34). Further, following the Examiner's guidance, Applicant has directed and requested the suggested changes to correct certain informalities (except for the insertion of reference numerals already present).

While reviewing the specification, Applicant discovered additional, minor informalities. Corrections for those informalities have been directed and requested, as well.


None of the present amendments raises new issues requiring further consideration on the part of the Examiner. None of the present amendments constitute New Matter. Thus, prompt entry of this entire response and early, positive consideration by the Examiner are earnestly requested.

The present amendment is filed along with an extension of time request and requisite extension fee.

Applicant wishes to express his personal gratitude for the many professional courtesies extended to him by Examiner Basinger, most particularly his suggestions and patient assistance throughout the prosecution of this application.

Finally, should the Examiner find that issues remain unresolved, including but not limited to any additional fee payments required for extension of time for response to the Final Rejection, and which issues could be eliminated through discussions with Applicants' representative, he is invited to contact the undersigned by telephone in the mutual interest of expediting prosecution.

Respectfully submitted on behalf of Applicant,



Donald Grant Kelly  
Registration No. 30,521

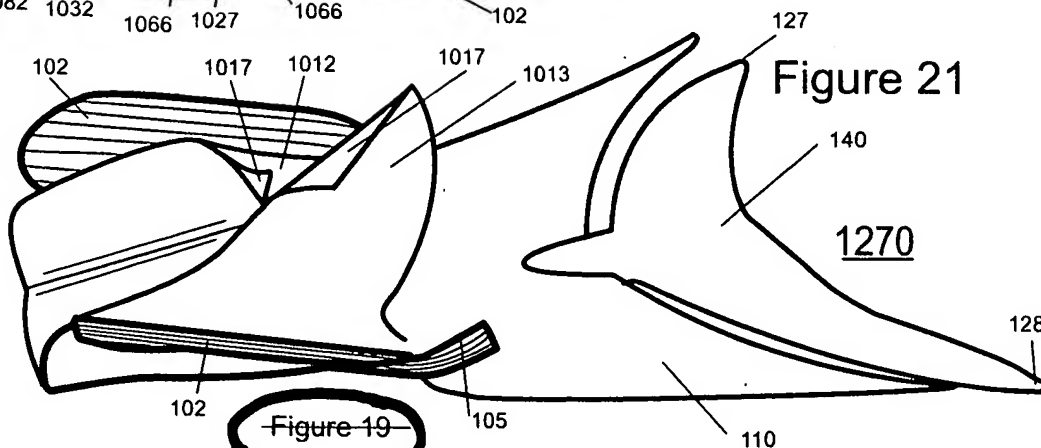
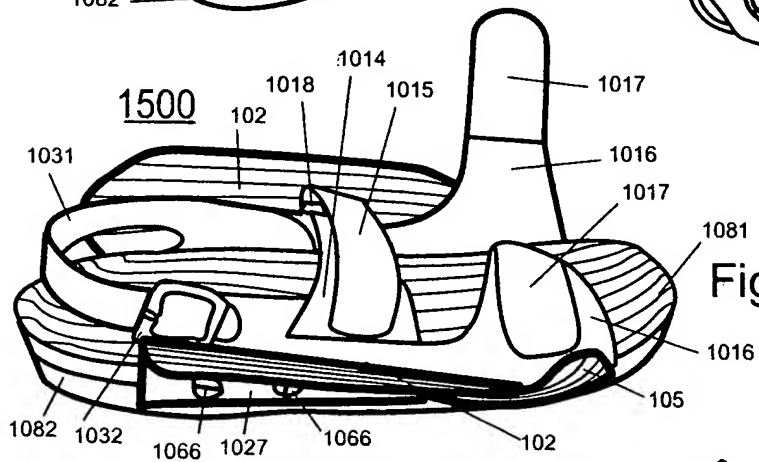
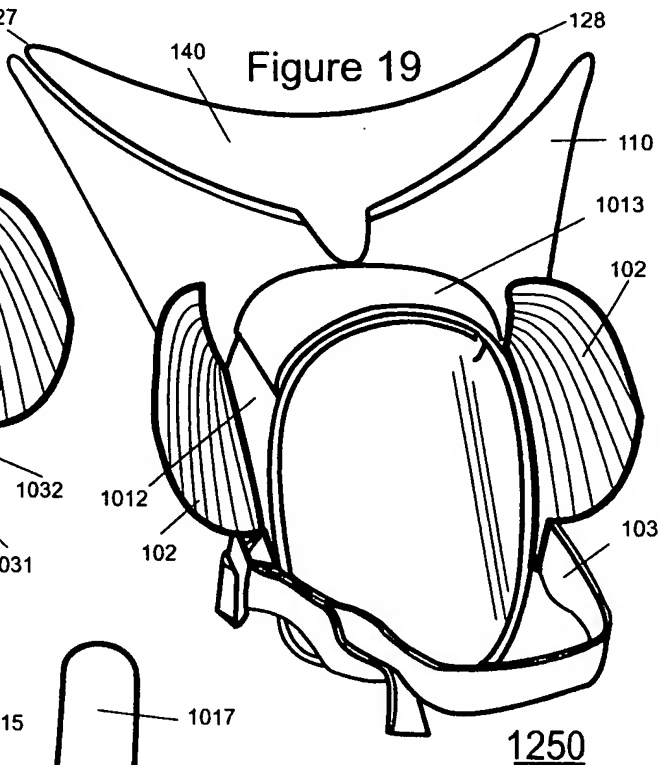
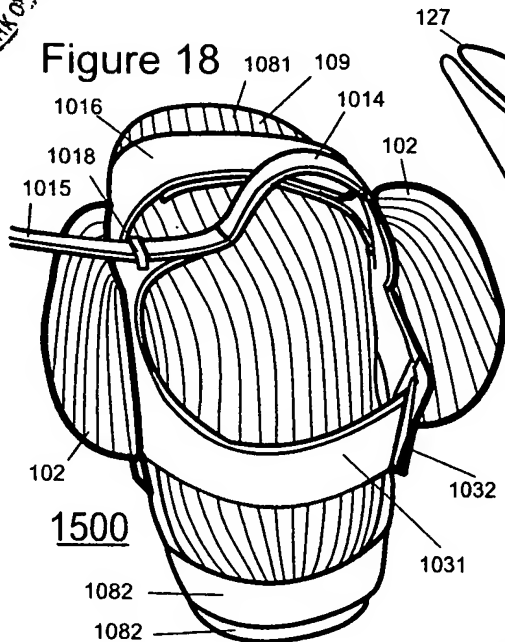
09/30/04

DATE

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**ANNOTATED MARKED UP DRAWING**



~~Figure 19~~

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